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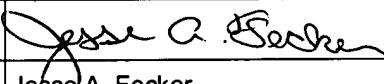
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Application Number	10/088814
Filing Date	September 4, 2002
First Named Inventor	Andrew Mortlock
Art Unit	1624
Examiner Name	T. N. Truong
Attorney Docket Number	ASZD-P01-599

ENCLOSURES (Check all that apply)

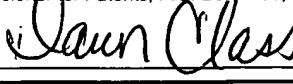
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<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Response to Restriction Requirement (2 pages)	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

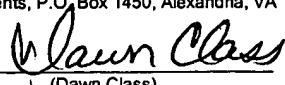
Firm Name	ROPES & GRAY LLP		
Signature			
Printed name	Jesse A. Fecker		
Date	December 17, 2004	Reg. No.	52,883

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 12/17/04

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Dated: 12/17/04 Signature: 
(Dawn Class)

Docket No.: ASZD-P01-599
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mortlock et al.

Application No.: 10/088814

Confirmation No.: 2356

Filed: September 4, 2002

Art Unit: 1624

For: QUINAZOLINE DERIVATIVES AND THEIR USE
AS PHARMACEUTICALS

Examiner: T. N. Truong

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement dated December 2, 2004, Applicants hereby elect the claims of Group 14 (claims 19, 20, 25, 27, 29, 30, and 33-40), drawn to compounds of formula IIA or IIC where R^1 , R^2 , R^3 , and R^4 independently are $R^{15}X^1$, for continued examination with traverse. Applicants reserve the right to file a continuing application or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicants do not hereby abandon or waive any rights in the non-elected inventions.

Applicants respectfully traverse the Restriction Requirement, because the Restriction Requirement does not properly divide the invention. A portion of the claimed subject matter is not accounted for in the Restriction Requirement. For example, the claims of Groups 2-13 are drawn to compounds where R^1-R^4 independently are not $-X^1R^{15}$ and the claims of Group 14 are drawn to compounds where R^1-R^4 independently are $-X^1R^{15}$. This restriction scheme does not appear to account for compounds where R^1-R^4 are a combination of $-X^1R^{15}$ groups and other substituents (e.g., halogen, nitro, cyano, etc.). Applicants request that Group 14 include all compounds where at least one of R^1-R^4 is $-X^1R^{15}$. Alternatively, Applicants request a new restriction be made that properly accounts for all subject matter presently being claimed.

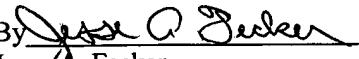
Moreover, the Examiner is referred to the International Search Report, where the subject matter of all claims was searched simultaneously. Because all claims were searched therein, it is not credible that search and examination of the entire claim set presents an unreasonable burden. According to MPEP § 803, “[i]f the search and examination of an entire application can be made without serious burden, the

examiner must examine it on the merits, even though it includes claims to independent or distinct inventions". Accordingly, Applicants respectfully request that the claims of Groups 1-13 be recombined with the claims of Group 14.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. ASZD-P01-599 from which the undersigned is authorized to draw.

Dated: December 17, 2004

Respectfully submitted,

By 
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